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CC: ["Croxtton, David" <Croxtton.David@epa.gov>](mailto:Croxton.David@epa.gov)

Date: 8/18/2017 11:16:36 AM

Subject: RE: [INTERNAL and DELIBERATIVE] - Deschutes TMDL briefing materials

Attachments: Deschutes TMDL Approval Letter\_08162017\_draft\_lb.doc

Deschutes Briefing Update\_08092017\_for Mike\_LB.docx

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Hi Chris,

Thanks for the opportunity to review! My suggestions are attached.

Have a great weekend,

Leah

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**From:** Zell, Christopher

**Sent:** Wednesday, August 16, 2017 2:10 PM

**To:** Mann, Laurie ; Brown, Leah

**Cc:** Croxtton, Dave

**Subject:** [INTERNAL and DELIBERATIVE] - Deschutes TMDL briefing materials

Good Afternoon Deschutes-ers,

I believe we have a briefing with Mike regarding the Deschutes TMDL on 8/23. If not too much trouble, would you mind providing your feedback on the attached support materials by 8/21 COB? I can see the finish line on the horizon!! ☐

Best,

Chris



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OFFICE OF  
WATER AND WATERSHEDS

FOIA exemption (b)(5) ACP

A large black rectangular redaction box covers the majority of the page content, starting below the header and ending above the footer. The text "FOIA exemption (b)(5) ACP" is written in red at the top left of this redacted area. On the left side of the redacted area, there are several short vertical black lines of varying lengths, possibly indicating a list or a sidebar.



FOIA exemption (b)(5) ACP



## Meeting Purpose

- Inform Mike of Deschutes TMDL history and resubmit process
- Discuss options for responding to Ecology (see draft approval letter)
- Discuss options for pursuing and coordinating RA, HQ reviews

## Project Background

Ecology submitted the final Phase 1 Deschutes TMDL to EPA for approval on December 17, 2015. The submitted TMDL package included a request that EPA approve allocations for 71 (actually 73) Water Quality Limited Segments (WQLSs) impaired by five pollutants (temperature, dissolved oxygen [DO], pH, fecal coliform, and fine sediment). Beginning in February 2016, EPA has discussed with Ecology opportunities to remedy legal and technical shortcomings of the TMDL that have been identified by both EPA (WU, ORC) and potential plaintiffs (NWEA, Squaxin Island Tribe). **FOIA exemption (b)(5)**

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]. Instead, Ecology chose to resubmit the Deschutes TMDL on July 17, 2017, and asked EPA “to focus” on a smaller subset of TMDLs for bacteria, temperature, and fine sediment.

## Update

- EPA and Ecology collaboratively developed the Deschutes TMDL resubmit letter
- EPA calculated bacteria TMDLs for 12 watersheds to assist Ecology
- A FOIA request submitted by NWEA on January 26, 2017, includes items related to the Deschutes TMDL. **FOIA exemption (b)(5)**

[REDACTED]

- Ecology resubmitted the Deschutes TMDL for a smaller subset of waters on July 17, 2017.

## Discussion

- **FOIA exemption (b)(5)**
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]